

Facts About Expungement in Kansas



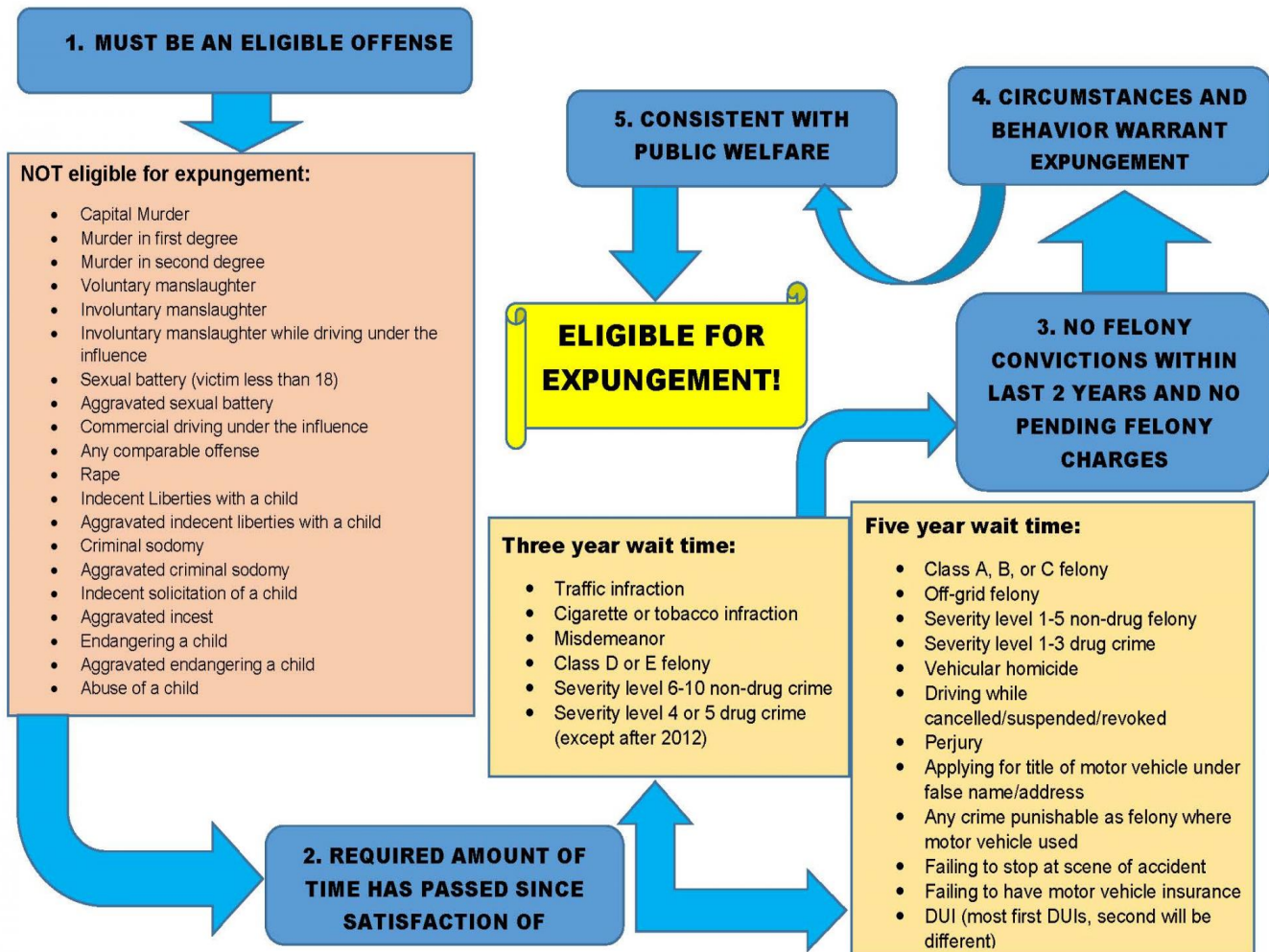
Kansas Expungement Guide: What Records Can Be Expunged and How to File

[GO HERE TO CHECK IF AN EXPUNGEMENT CLINIC IS AVAILABLE IN YOUR AREA IN 2024.](#)

View this webinar that tells you all you need to know about [Expungement in Kansas.](#)

Here is a [handy flow chart](#) that you can download that shows the steps for expungement.

TO BE ELIGIBLE FOR EXPUNGEMENT ON YOUR CONVICTION OR DIVERSION:



Available Help

You may be able to get **FREE** help from a **Kansas Legal Services attorney** for your expungement!

You can apply by calling **316-267-3975 (Monday - Friday, 8:00 am - 4:30 pm)**.

FAQs

What is an Expungement?

Expungement is the removal of an arrest or conviction from a person's criminal record.

When a person's record is expunged, no information related to the arrest or conviction may be disclosed, with certain exceptions.

What Records can be Expunged?

Arrest records, criminal convictions, and juvenile adjudications can all be expunged in Kansas.

What Arrest Records can be Expunged in Kansas?

An arrest record can be expunged if:

- The arrest occurred because of mistaken identity;
- A court found there was no probable cause for the arrest;
- You were found not guilty in court proceedings; or
- The expungement would be in the best interests of justice and either charges have been dismissed or no charges are likely to be filed.

Any arrest record can be expunged and no time limit is required.

What Criminal Convictions can be Expunged in Kansas?

Your criminal conviction can be expunged if the required amount of time has passed and you have not been convicted of a felony in the past 2 years.

Some convictions can be expunged 3 years after payment of all fines and the completion of the sentence. Those convictions include minor offenses, traffic violations, and some felonies

Other felonies and motor vehicle offenses, such as driving while suspended, can be expunged 5 years after the completion of the sentence.

Look at [this chart](#) to determine how long you have to wait.

Severity of Crimes and Expungement

[This chart](#) shows the length of time that must pass between the completion of all aspects of a criminal sentence or diversion and the filing of an expungement petition.



Crime Category	Waiting Period (Months)
Capital Murder	10
Murder in the first or second degree	10
Voluntary and involuntary manslaughter	10
Rape	10
Aggravated sexual battery	10
Sexual battery of underage victim	10
Indecent liberties with a child	10
Criminal sodomy	10
Indecent solicitation of a child	10
Sexual exploitation of a child	10
Aggravated incest	10
Endangering a child	10
Abuse of a child	10
Other crimes	5

Click on this picture to see the chart:

What Criminal Convictions *Cannot* be Expunged in Kansas?

- Capital murder
- Murder in the first or second degree
- Voluntary and involuntary manslaughter
- Rape
- Aggravated sexual battery
- Sexual battery of underage victim
- Indecent liberties with a child
- Criminal sodomy
- Indecent solicitation of a child
- Sexual exploitation of a child
- Aggravated incest
- Endangering a child
- Abuse of a child

Do I have to Get my Convictions Expunged to Vote in Kansas?

No, you can vote as soon as you have been discharged from supervision. That is usually at the end of a period of probation or parole.

If you are granted probation or parole, you are “under supervision” until the probation or parole are finished. When those are finished, you can register and vote in Kansas.

Only people who have been convicted of a state or federal **felony** lose their voting rights. State law (KSA 21-4603, 21-4603d, 21,4615) prevents persons who have

been convicted of a felony from registering to vote, voting, holding public office or serving on a jury.

You have to *reregister* to vote, even if you were registered before, when you become eligible.

You will not be asked for any proof that you have been discharged from supervision. The voter registration application form contains an affidavit that you sign stating that your right to vote has been restored.

You can use the paper form or apply electronically, online.

To apply online, go here: [Federal voter registration form](#)

To print, sign and mail the online form, go here: [Paper Voter Registration form](#)

What Juvenile Adjudications can be Expunged in Kansas?

Read more about [juvenile expungements here](#).

Most juvenile adjudications can be expunged if:

- The juvenile has reached the age of 23 or it has been 2 years since the sentence was completed;
 - Since the sentence was completed, there are no pending criminal cases; and
 - The circumstances and behavior of the juvenile warrant expungement.
-

What Juvenile Adjudications *Cannot* be Expunged in Kansas?

- Murder
 - Manslaughter
 - Rape
 - Indecent liberties
 - Criminal Sodomy
 - Indecent solicitation
 - Sexual exploitation
 - Aggravated incest
 - Endangering a child
 - Abuse of a child
-

How do I expunge a Juvenile Offense?

The interactive interview to create a file for Court to expunge a juvenile record is here:

<https://lawhelpinteractive.org/Interview/InterviewHome?templateId=8013>

This can be filed:

- at any age, when 2 years have passed since a final discharge (sentence served and restitution paid.).
- at age 23 even if there is no final discharge.
- No felony or misdemeanor conviction after the juvenile case (although courts may often allow this when 2 years have occurred since the prior case was finalized.)

The expungement of the adult conviction will allow you to then expunge the juvenile conviction.

There is a \$100 docket fee for filing the expungement.

This is filed in the juvenile court case, using the same case number.

[Here is a link to forms on the Kansas Judicial Council website for adult expungements and drug offender registry relief.](#)

Disclaimer: This is general information. For specific advice on individual matters, you should consult an attorney.

KLS offers a free legal form, [Expungement](#), to expunge records for adults.

Also Check Out:

- [Resolve barriers to employment and housing with legal help](#)
- [Learn about your housing rights under the Fair Housing Act](#)
- [Expungement Brochure](#), created by Attorney Kristin Maun of KLS -
Pittsburg

Last updated on August 27, 2024.

[Expungement](#)

[clearing record](#) [criminal record expungement](#) [Expungement](#)

Files

[Expungement Brochure rev 2018.pdf](#)

[voterregistration.pdf](#)

[Expungement Chart KJC 2022.pdf](#)

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